

Remarks

Claims 1-37 were pending. Claims 1, 28, and 36 have been amended. Claims 20-27 and 32-35 have been cancelled. Applicant asserts that claims 1-19, 28-31, and 36-37 are in condition for allowance as set forth more fully below and respectfully request that the finality of the current rejections be withdrawn.

102 Rejections - Ying

Claims 1, 3-7, 10, 12-13, 15-18, 20-21, 23, 26-27, 28-30 and 32-37 stand rejected under 35 USC §102(e) as being anticipated by Ying (US Pat 6,307,511). Applicant respectfully traverses these rejections.

The Advisory Action has taken the position that any electrical coupling is a capacitive coupling. Apparently, this includes a physical coupling, i.e., one involving physical electrical conductors such as the physical electrical conductors of Ying that physically and electrically couple the antenna to the circuitry.

In reaching this conclusion, the Examiner has relied upon a dictionary definition. Applicants point to recent Federal Circuit decisions that have held that definitions provided in the specification of the application are controlling, as opposed to dictionary definitions that may be contrary to the definition of the specification. The specification of the present application, at page 15, lines 7-13, defines capacitive coupling as being electromagnetically coupled without being physically coupled thereto. Thus, it is evident that capacitive coupling as defined in the specification precludes physical electrical conductors since physical electrical conductors create a physical coupling.

Rather than relying on the definition from the specification, the claims have been amended to recite this language to avoid any misinterpretation. Therefore, the dictionary definition used by the Examiner is now irrelevant.

As has been previously stated, Ying discloses physical electrical conductors that connect the external antenna to internal circuitry. Ying does not disclose that the external antenna is electromagnetically coupled without being physically coupled. Accordingly, the rejections to the claims based on Ying's disclosure are now overcome for at least these reasons. Thus, claims 1, 18, and 36 are allowable over Ying for at least these reasons, and the dependent claims are also allowable for at least the same reasons.

103 Rejections

Claims 2, 8, 9, 11, 14, 19, 22, 24, 25, and 31-33, have been rejected under 35 USC 103 based on Ying in view of various other references. Applicant respectfully traverses these rejections. As each of these claims is dependent upon an allowable base claim, these claims are allowable for at least the same reasons. Furthermore, the references cited in addition to Ying fail to account for the noted deficiencies of Ying.

Miscellaneous

The Examiner noted in the final Office Action that the 1.132 declaration failed to overcome the rejections based on Ying. Applicant points out that the 1.132 declaration was not offered for that purpose but was offered to overcome the assertion that Exhibit A was valid prior art. Additionally, the Examiner has stated that the Exhibit A fails to disclose the claimed limitations of claims 1, 20, 28, 32, and 34. While Applicant is not relying on the Exhibit A in relation to the current rejections, for the record Applicant indicates his disagreement with that statement.

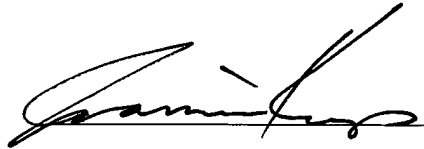
Conclusion

Applicant asserts that the application including claims 1-19, 28-31, and 36-37 is in condition for allowance. Applicant requests reconsideration after final in view of the amendment and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

Date: March 23, 2006

A handwritten signature in black ink, appearing to read "Jeramie J. Keys", written over a horizontal line.

Jeramie J. Keys
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